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Testimony of Neil Alper, Field Representative AFT-CT

Labor and Public Employees Committee
February 28, 2012

H.B. No. 5237 AN ACT CONCERNING PAYMENT OF WAGES FOR EMPLOYEES OF THE AMERICAN SCHOOL FOR THE DEAF.

Good afternoon Senator Prague, Representative Zalaski and members of the Labor and Public Employees Committee. I appreciate the opportunity to speak with you this afternoon in support of the proposed adjustments to the salary schedules of teachers and other certified staff at the West Hartford based American School for the Deaf. I'm Neil Alper, Field Representative with AFT CT and speaking today on behalf of the nearly ninety (90) members of AFT CT Local 4230.

As some of you are surely aware, the American School for the Deaf provides critical services to the deaf community, pulling students of varying ages, backgrounds, and abilities at its West Hartford campus as well as onsite throughout various public schools around the state. Although the school receives a significant percentage of its funding from the State, its staff and administration aren't specifically governed by the Teachers Negotiations Act or associated statutes. One such statute concerns the manner in which teachers and other certified staff in the public schools around the state receive their salaries. Generally speaking such staff have the opportunity to receive their salary over either 10 or 12 months of the year – 22 or 26 paychecks. At the beginning of a given academic year teachers will generally notify their employer of their decision for the upcoming year. State statute specifically allows Public School Boards and their employees a statutory exemption from certain wage and hour laws to engage in this pay practice.

For decades, various collective bargaining agreements between the American School for the Deaf and AFT CT Local 4230 have governed a similar pay schedule for members of this particular bargaining unit. Neither party attempted to alter this benefit through negotiations or otherwise. Simply put – the salary schedule was not an issue of concern to either party. This Fall however, administrators of the School, after querying the State Department of Labor received an opinion from the Wage and Hour division at

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the Department of Labor stating the practice was technically in violation of applicable statutes as the Employer isn't a formally recognized Public Board of Education.

This is not an attempt to gain legislatively a benefit the staff couldn't otherwise attain at the bargaining table. Rather, House Bill 5237 is merely an effort to reinstate a long standing pay practice between the parties. The proposed change will have no financial impact on the School itself, and is practice that the School itself is willing to reinstate and abide by – once it can be assured of statutory compliance.

Given that the School, and its staff is largely funded from the public purse, surely its staff should be afforded the same choices over its pay schedule as similarly situated teachers around the state – particularly given the unique niche the staff at the American School for the Deaf occupy in the larger public educational landscape of the State.

Thank you for your continued support and attention to this matter.

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